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CHAPTER 8 Carl Schmitt

Michael Hollerich

The twentieth-century godfather of political theology is the controversial Catholic jurist and sometime Nazi Carl Schmitt. This “Martin Heidegger of political theory” and “German Hobbes of the twentieth century” (Schmitt 1996b: xii; Meier 1998: 100), as he has been called, is usually credited with reintroducing the concept of political theology into modern discourse. This chapter provides an introduction to Schmitt's life and work, an account of his political theology as he understood it, and a review of the critical reception of his work among his fellow Catholics.

Schmitt scholarship is massive, contentious, and unabating (see Mehring 1993; Gebhardt 1995; Seubert 2002). Reference will be made only to sources used in this presentation.

An “Authentic Case of a Christian Epimetheus”?

Carl Schmitt (1888–1985) was born into a strongly Catholic family in Plettenberg, Westphalia. His modest origins and his religious identity perhaps contributed to his ambition and also to a certain incorrigible insecurity. Trained in legal studies, he rose rapidly from academic obscurity to an appointment at the prestigious Friedrich-Wilhelm University in Berlin in 1933, a position which he lost after World War II because of his complicity with the Third Reich. His advancement was assisted by a prolific outpouring of books and articles on jurisprudence, constitutional and political theory, and broader cultural topics, all written against the backdrop of the Weimar Republic and its fluctuating fortunes. Schmitt's writings reflect his skepticism about the reigning neo-Kantian philosophy of law and about legal positivism, his concern for the viability and legitimacy of Weimar democracy and a fascination with dictatorship, and his

hostility to liberalism of all kinds, political, philosophical, economic, and religious. His brilliant style, breadth of interests, and responsiveness to current events won him a reputation well beyond the university world. Catholics hailed him as a promising apologist, though some came to doubt his political and religious loyalties when the Weimar Republic slid into its final crisis and gave way to National Socialism.

Scholars disagree about Schmitt's involvement in the death of democracy. His two biographers, Joseph Bendersky and Paul Noack, have treated him rather deferentially (Bendersky 1983; Noack 1993), whereas Andreas Koenen's *Der Fall Carl Schmitt* makes a perhaps excessive case for the prosecution (Koenen 1995; see Seubert 2002: IIa). Schmitt certainly had serious doubts about parliamentary democracy and the system of party politics. He strongly supported the use of Article 48 of the Weimar constitution, which authorized direct presidential rule in emergencies. By the end of the 1920s he had become an admirer of Mussolini and Italian fascism, an affinity that Piet Tommissen has suggested originated in Schmitt's horror at the revolutionary outbreaks in Germany after World War I (Quaritsch 1988: 91–2). On the other hand, he defended constitutional government, albeit in a presidential and authoritarian form, until the bitter end. He publicly opposed the National Socialists as a lethal threat to the constitution and to sound government. In the fall of 1932 Schmitt was made the Reich government's chief advocate before the Supreme Court to defend the Reich's assumption of direct rule in Prussia, which some regarded as a prelude to dictatorship. He also became an advisor to the ambitious defense minister General Kurt von Schleicher, whose brief tenure as chancellor (December 1932 to January 1933) marked the zenith of Schmitt's influence in public affairs. In January 1933 the chairman of the Catholic Center Party, Prelate Ludwig Kaas, publicly accused him of plotting a Schleicher dictatorship, which reflects the suspicion in which he was now held in the camp of political Catholicism. According to Ernst Huber, then Schmitt's student assistant, that suspicion was not groundless (Huber 1988: 40–50; Lönne 1994: 26–7).

Hitler's chancellorship and the accelerating National Socialist revolution in the spring of 1933 forced Schmitt to reconsider his anti-Nazi views. Perhaps feeling that he needed to prove his loyalty to the new regime, he surprised many of his friends by joining the party on May 1, 1933. His anxieties were intensified a year later on the "Night of the Long Knives," June 30, 1934, when Hitler authorized the murder of more than a hundred party members. Among the victims were also prominent non-Nazi conservatives such as Schmitt's former patron, General Schleicher. From 1933 through 1936 Schmitt held a number of Nazi-approved administrative and editorial appointments, in addition to his university position. During this period he published a series of legal studies that defended and legitimated the regime, including defenses of the 1934 purge and the 1935 Nuremberg racial laws. Such work has stigmatized him ever since as the "crown jurist" of the Third Reich. During this period his writing and his professional activities also reveal a blatant antisemitism. His defenders have argued

that he never shared the biological racism of the Nazis, and that his antisemitism was contrived to protect himself against his enemies in the party (Bendersky 1983: 226–36). This position has become much less tenable since the posthumous publication of his diary. Others see his anti-Jewish cultural and religious prejudices as conventional: "Schmitt's anti-Semitism was standard equipment for the educated classes in Weimar, as we see indicated even in one of the few *Vernunft-Republikaner* such as Thomas Mann" (Lauermaun 1994: 312). Be that as it may, the war did nothing to diminish those prejudices (Meier 1991: 8–9; 1998: 151–60; see also Gross 2000).

Nazi zealots and academic rivals eventually brought Schmitt down. They were assisted by the efforts of his disillusioned protégé Waldemar Gurian, a prominent Catholic writer who was forced to flee to Switzerland because of his anti-Nazism and his Jewish ancestry. Through a newsletter smuggled into Germany, Gurian campaigned relentlessly to "out" Schmitt as a pseudo-Nazi and cynical servant of whoever held power (Hürten 1972: 12–14, 119–20, 127–8). In 1936 articles in an SS newspaper intimidated Schmitt into resigning most of his posts aside from his university position. From 1937 to the end of the war he kept a low profile and turned his scholarly attention to international law. Even then, however, his publications espoused positions consistent with Hitler's expansionism. After the war he was arrested and spent a year and a half in an American military prison until his release in April 1947. Though he escaped criminal conviction, moral opprobrium clung to Schmitt for the rest of his long life. In the summer of 1945, he inscribed this verdict in his diary: "It is the bad, unworthy and yet authentic case of a *Christian Epimetheus*" (Schmitt 1950: 12); a puzzling statement, though it comes closer to a confession than anything Schmitt published in his lifetime (Meier 1998: 132–4). The mythical Epimetheus (meaning "Afterthought"), brother of Prometheus and husband of Pandora, was guilty of foolishness and fear: frightened by what Zeus had done to his brother, he ignored his brother's advice to take no gifts from Zeus and accepted the woman Pandora as his wife. She, of course, let loose the ills that Prometheus had confined to a jar. But the myth rather underplays Epimetheus' personal responsibility; how did Schmitt see this as a *Christian* story?

After he was forbidden to teach, Schmitt retreated into internal exile in Plettenberg, which he called his "San Casciano," after the place of Machiavelli's forced retirement at the hands of the Medici – another telling self-dramatization, as Heinrich Meier has noted (1991: 2–3). There he eventually resumed writing and eagerly hosted visitors who sought him out for scholarly counsel and discussion. Besides the predictable conservatives, from the late 1960s the political left showed up as well – some leftists, most famously Walter Benjamin, had always found things to admire in Schmitt. Alexander Kojève told Jacob Taubes that Schmitt was the only person in Germany worth talking to (Taubes 1987: 24). Since Schmitt's death in 1985, interest in him has grown rapidly. Today many regard him as one of the most original voices in modern German intellectual history, even though every aspect of his work continues to be contested and argued, not least his services to the Third Reich.

A Political Theologian?

The climate of interpretation

Carl Schmitt frequently denied being a theologian at all (Schmitt 1950: 89; 1970: 30). Being a lay theologian entailed risks he preferred to avoid (1970: 101 n. 1; Wacker 1994a: 286–92). Scholarship took him at his word, reading him primarily as a legal scholar and a political theorist. Even now much of the attention devoted to him comes from a secularist left uninterested in his religious commitments (McCormick 1997; Balakrishnan 2000).

The religious dimension of Schmitt's work did not attract attention until after his death in 1985. First, Schmitt's *Glossarium*, a postwar diary of notes and reflections, appeared in 1991. It contained abundant evidence that he thought of himself explicitly as a Catholic. In an entry for May 23, 1948, he wrote, "For me the Catholic faith is the religion of my fathers. I am Catholic not only by confession but also by historical origin, if I may say so, by race" (Laueremann 1994: 300 n. 16). And a month later: "This is the secret keyword to my entire mental and authorial life: the struggle for the authentically Catholic sharpening . . ." (Wacker 1994b: 7). Second, German Catholic scholarship began to reconsider Carl Schmitt, after trying for 40 years to forget he ever existed. In 1993 the Catholic Academy of Rhabanus Maurus sponsored a symposium on his Catholic identity and his place in German Catholicism past and present (Wacker 1994a: 280–92; 1994b; Lönne 1994; Nichtweiß 1992: 722–830; Dahlheimer 1998). Third, Heinrich Meier's studies of Schmitt and Leo Strauss (Meier 1991, 1995, 1998) argued that political theology was fundamental in Schmitt's thinking (Meier 1998: 27). Meier's reading proposed a deeply religious Schmitt, driven by his Christian faith to wage lifelong war against secular reason, unbelief, and nihilism. Another who took the religious foundations of Schmitt's work seriously was Jacob Taubes, though he approached Schmitt from a left-wing Jewish viewpoint different from Meier's Straussianism. For Taubes, whose interest in political theology was inspired by Schmitt, the Hobbesian decisionist the world knew was really "an apocalypticist of the Counter-Revolution" (Taubes 1987: 16).

The main sources for Schmitt's political theology are a series of short treatises written over half a century, in his trademark polemical and aphoristic style. (Also important, especially for those like Meier who work from the concept of a Schmittian "arcanum," are the two volumes of notes and reflections from the years immediately after World War II, *Ex Captivitate Salus* and the above-mentioned *Glossarium*.) *Political Theology: Four Chapters on the Concept of Sovereignty* (1922; 2nd edn. 1934) and *Roman Catholicism and Political Form* (1923; 2nd edn. 1925) make a complementary set. The first discloses the roots of sovereignty as a secularized theological concept and develops Schmitt's decisionist theory of law: "Sovereign is he who decides on the exception" (Schmitt 1985: 5) The second presents the Roman Catholic Church as a *Machtform*, a

bulwark of authority in an unsteady social world. *The Concept of the Political* (1927; 2nd edn. 1932; 3rd edn. 1933), perhaps Schmitt's most influential work, defines the political by the friend–enemy distinction. *The Leviathan in the State Theory of Thomas Hobbes* (1938) is Schmitt's fullest assessment of a political thinker whom he regarded as teacher and intimate friend; it uses Hobbes as a yardstick by which to evaluate the modern deterioration of the state. *Politische Theologie II: Die Legende von der Erledigung jeder Politischen Theologie* (1970), Schmitt's last book, is a hostile response to his late friend Erik Peterson's 1935 monograph *Monotheismus als politisches Problem*. Peterson had ended his book with the sweeping assertion that Nicene trinitarianism and Augustinian eschatology had made a fundamental break with every political theology "which misuses the Christian proclamation for the justification of a political situation" (Peterson 1951: 104–5) a thesis Schmitt believed was directly squarely at him.

Political theology as neutral diagnostic tool

Schmitt called his political theology "a sociology of juristic concepts," a description whose Weberian resonance was meant to stress its purely scholarly and impartial character.

All significant concepts of the modern theory of the state are secularized theological concepts not only because of their historical development – in which they were transferred from theology to the theory of the state, whereby, for example, the omnipotent God became the omnipotent lawgiver – but also because of their systematic structure, the recognition of which is necessary for a sociological consideration of these concepts. (Schmitt 1985: 36)

Such a sociology was not to be understood as a form of ideology critique to unmask religious and theological constructs as subservient to and derivative from legal and political ones (or of social and economic ones, either). The connection between the two spheres was "consistent and radical," but not directly causal. A "spiritual" philosophy of history was no less plausible than a materialist one. Thus in the nineteenth century, neither the authors of "the political theology of the Restoration" (Juan Donoso Cortés, Joseph de Maistre, Louis de Bonald) nor their revolutionary materialist opponents could prove their cases (Schmitt 1985: 42) Nor did Schmitt's sociology of juristic concepts seek a correlation between ideas and the point of view and activities of a particular social class or professional group. Consciousness was not reducible to a social construction, nor could the representation of social reality in turn be reduced to religious or metaphysical assumptions. What he sought was simply the radical correlation between the two in a given epoch. To take an example from the epoch about which Schmitt himself cared most, the early modern period, it would be false if we were to describe the absolute monarchy of the seventeenth century as the really real of which the Cartesian concept of God was merely a reflection.

[I]t is a sociology of the concept of sovereignty when the historical-political status of the monarchy of that epoch is shown to correspond to the general state of consciousness that was characteristic of western Europeans at that time, and when the juristic construction of a historical-political reality can find a concept whose structure is in accord with the structure of metaphysical concepts. Monarchy thus becomes as self-evident in the consciousness of that period as democracy does in a later epoch . . . The metaphysical image that a definite epoch forges of the world has the same structure as a form of its political organization. (1985: 46)

Political theology and legitimation

But Schmitt's correspondences served purposes beyond the merely diagnostic. Since the correlations were mutually reinforcing, the decline of one meant the inevitable weakening of the other. And in Schmitt's construction of history, that is what has happened, as religious conceptions of the world gave way to philosophical and metaphysical conceptions, and they in turn to the instrumental rationality of technical reason, mathematics, and the natural sciences. For Schmitt it was axiomatic that the political order needed legitimation: "No political system can survive even a generation with only the naked techniques of holding power. *To the political belongs the idea, because there is no politics without authority and no authority without an ethos of belief*" (1996c: 17, emphasis added). "[S]ince Comte we have had many new experiences that affect the ineradicable need for legitimation of every human being" (1970: 101n).

The pairing of *Roman Catholicism and Political Form* with *Political Theology* reflected his conviction that the political and the religious spheres had a unique affinity. This affinity was grounded in their common expression as *law*. The science of the law in Europe was actually descended from canon law on its "maternal" side, though the child eventually had to leave its mother (1950: 69). A political theology was genuinely possible partly because of the peculiar interconnection of the disciplines of the canonist and the jurist (1970: 101).

The political and the religious spheres also shared a common alienation from modern forces such as liberalism, economism, and "technicity" (Schmitt 1988: 32–50; 1996a: 69–79; 1996b: 42–50, 55–62, 68–74). The unhappy effects of these forces were to be seen in such developments as the distinction of public and private in politics and law, the fragmenting of the state by the pluralistic forces of society ("depoliticization"), the pure normativity of law without regard to its roots in personal authority and personal decision, the division of powers in parliamentary democracies and the splintering of sovereignty, the substitution of discussion and debate for decision, the exaltation of private property and *laissez-faire* economics, the reduction of meaning to material production and consumption, and value neutrality in questions of morality and belief. Catholicism, he argued, could accommodate liberal democracy, industrialization, and financial capitalism, but it could never be their ally. "An alliance of the Catholic Church with the present form of industrial capitalism is not possible. The alliance of throne and altar will not be followed by an alliance of office and altar

also not of factory and altar" (1996c: 24). The reason for this incompatibility was the special *representative* role of the church:

The political power of Catholicism rests neither on economic nor on military means but rather on the absolute realization of authority. The Church also is a "juridical person," though not in the same sense as a joint-stock company. The typical product of the age of production is a method of accounting, whereas the Church is a concrete personal representation of a concrete personality. All knowledgeable witnesses have conceded that the Church is the consummate agency of the juridical spirit and the true heir of Roman jurisprudence. Therein – in its capacity to assume juridical form – lies one of its sociological secrets. But it has the power to assume this or any other form only because it has the power of representation. It represents the *civitas humana*. It represents in every moment the historical connection to the incarnation and crucifixion of Christ. It represents the Person of Christ Himself: God become man in historical reality. Therein lies its superiority over an age of economic thinking. (1996c: 18–19)

The church sought coexistence with the state as a natural partner that, like itself, was also a *societas perfecta*. The state too was based on representation, even if modern parliamentary democracy had obscured that fact. The state too took on "political and juridical forms that are equally immaterial and irritating to the consistency of economic thinking" – immaterial because they took into account other than merely economic values (1996c: 16, 27). Here Schmitt saw no difference between capitalism and Marxism: "The big industrialist has no other ideal than that of Lenin – an 'electrified earth.' They disagree essentially only about the correct method of electrification" (1996c: 13).

Political theology and the question of priority

Did the political trump the theological in Schmitt's political theology? Many of his fellow Catholics believed it did (see next section). On the other hand, Heinrich Meier's influential interpretation argues that Schmitt's thought is deeply determined by a theological agenda. The question of priority is complicated by Schmitt's apparent estrangement from the church in the late 1920s, a development Meier ignored. He shrewdly pointed to what others considered the most nakedly secular and amoral element in Schmitt's thought, the definition of the political as the distinction between friend and enemy, and argued that it was ultimately rooted in Schmitt's political theology (Meier 1998: 27). Hidden behind liberalism's neutralizations is the brutal reality of the modern revolt against God. They are a mask for oppositions and hostilities that are genuinely theological. Atheistic anarchism at least does faith the favor of making its revolt explicit. But bourgeois liberalism discloses the spirit of the age even more meaningfully than does anarchism. Its search for a peaceful, secure, and comfortable existence, free of struggle, challenge, and the need to obey, seeks insidiously to deprive us even of our enemies. But faith knows that the promise of "peace and security" (Meier

cites 1 Thess. 5: 3) is an idolatrous delusion that only conceals the final onslaught of the Enemy *par excellence*, the devil himself. "The battle 'for' or 'against' enmity, its affirmation or negation, thereby becomes the political-theological criterion of the first order" (Meier 1998: 24).

It is possible to accept aspects of Meier's central thesis without accepting all of it. He builds his case on the basis of genuine themes in Schmitt's thinking (see Meier 1998: 4–13, 54–65, 66–99). Schmitt certainly believed, for example, that it was impossible to imagine a world without enmity and aggression. The effort to create such a world would itself require intense aggression: a "war to end all wars" would be unusually intense and inhuman (1996a: 36). A world that managed to substitute economic competition for war was merely disguising from itself the coercive force exerted by economic power (1996a: 78–9). That is why an utterly secular world was also an impossibility:

The core question that in my view arises concerning "the political" concerns the reality of an enemy, whose real possibility I still recognize even in an utterly de-theologized counter-position [he is referring to Hans Blumenberg's 1966 book *Die Legitimität der Neuzeit*]. The careful study of its transformation from the old political theology into one that pretends to a totally new, pure secularity and man-centered humanity [*humane Menschlichkeit*] remains in fact a permanent duty of the scholarly search for knowledge. (Schmitt 1970: 124)

Schmitt's thought as Meier (and Jacob Taubes) presents it has apocalyptic contours that remind us of other nineteenth- and early twentieth-century Christian antimodernists, from Kierkegaard to Dostoevsky and the Russian personalists. Schmitt himself found his forebears among reactionary Catholic thinkers such as the Spanish diplomat Juan Donoso Cortés (Schmitt 1985: 53–66), with whom he shared a belief in human sinfulness and a skepticism that the weakened modern state could provide peace and security. Donoso Cortés and the other "counter-revolutionary philosophers of the state" recognized the ultimately theological nature of the enmity between Christianity and liberalism. They refused to back away from metaphysical principles and truths merely to accommodate liberal commitments to perpetual discussion and negotiation. "Liberalism, with its contradictions and compromises, existed for Donoso Cortés only in that short interim period in which it was possible to answer the question 'Christ or Barabbas?' with a proposal to adjourn or appoint a commission of investigation" (p. 62). They also recognized the deep connection between the eclipse in the early nineteenth century of theistic transcendence (in favor of immanentist metaphysics and pantheism) and legitimist monarchy (in favor of democracy and popular sovereignty). In response they formulated the first political theology (pp. 50–1).

The pessimistic anthropology and antiliberalism of these thinkers figure prominently in Schmitt's *The Concept of the Political*, which defined the specifically political distinction as that between friend and enemy (1996a: 25–37). "The distinction of friend and enemy denotes the utmost degree of intensity of

a union or separation, of an association or dissociation." "The political is the most intense and extreme antagonism, and every concrete antagonism becomes that much more political the closer it approaches the most extreme point, that of the friend-enemy grouping" (1996a: 26, 29). The political was thus a criterion and not a domain. It was a judgment about the state of a relationship, not a particular category of human association alongside other associations. Conflict became truly political whenever it became mortal and existential. Until the nineteenth century, the state had been the arbiter of such conflict. But the modern state has been weakened thanks to liberalism, economism, and other forces (1996a: 22–5). As a result, any conflict could assume a genuinely political form, regardless of whether it was originally religious, moral, economic, cultural, etc. (1996a: 37–45).

Schmitt's definition of the political ruled out an optimistic anthropology and rested on the dogma of original sin. "The fundamental theological dogma of the evilness of the world and man leads, just as does the distinction of friend and enemy, to a categorization of men and makes impossible the undifferentiated optimism of a universal conception of man. In a good world among good people, only peace, security, and harmony prevail. Priests and theologians are here just as superfluous as politicians and statesmen" (1996a: 65).

Schmitt's Political Theology and its Catholic Reception

The season of political theology

Today we are an utterly political species. And our quest for "salvation" comes alive in the political dimension.

Paul Althaus in 1933

In 1922 Schmitt was ahead of his time. With Weimar's final crisis, however, "political theology" became the refrain of a broad and ecumenical chorus, reaching an adulatory crescendo in the months after Hitler came to power (Scholder 1988: I, 99–119, 189–209, 414–40). By then Schmitt's sympathies had shifted away from the political Catholicism of the Center Party, in part perhaps because the church rejected his annulment petition for a marriage that ended in divorce in 1924, thereby making his second marriage noncanonical (Nichtweiß 1992: 727–8). Schmitt increasingly disagreed with the Center Party's commitment to parliamentary democracy, religious confessionism, tolerance, and pluralism (Lönne 1994: 34–5). A different outlook from the parliamentarism of the Center Party existed among conservative Catholics who looked back nostalgically to the medieval German empire and advocated a Catholic *Reichstheologie* as an antidote to liberal democracy. They favored an organic conception of society, organized as estates or professional groupings, which they believed was reflected in National Socialist rhetoric of a national community,

totality claims, and the leadership principle, spelling the welcome end of liberalism, individualism, and the Weimar "party-state." Such ideas were popular among discussion groups like the Catholic Academic Association and the aristocratic fellowship *Kreuz und Adler* ("Cross and Eagle") which met at the Benedictine monastery of Maria Laach, under the benevolent patronage of Abbot Ildefons Herwegen (Böckenförde 1961: 224–51; Nichtweiß 1992: 764–72).

Though he occasionally attended the Maria Laach meetings, Schmitt had scant respect for this *Reichstheologie*. When he made his shaky peace with the Nazis, he preferred a rationale unencumbered by natural law categories or medieval precedents (Böckenförde 1961: 229 n. 45). He probably stood closer to contemporary Protestant political theologians such as Wilhelm Stapel, with whom he was in close contact, and Emmanuel Hirsch, with whose Kierkegaardian decisionism he shared much in common.

In 1934 Schmitt reissued *Political Theology*. In a new preface he noted with satisfaction that Protestant theologians like Friedrich Gogarten, with whom in 1931 he had contemplated co-editing a journal to be called *Der Staat* (Lauer-mann 1994: 300 n. 17), now recognized that a concept of secularization was essential to understand the course of the past several centuries:

To be sure, Protestant theology presents a different, supposedly unpolitical doctrine, conceiving of God as the "wholly other," just as in political liberalism the state and politics are conceived of as "the wholly other." We have come to recognize that the political is the total, and as a result we know that any decision about whether something is *unpolitical* is always a *political* decision, irrespective of who decides and what reasons are advanced. This also holds for the question whether a particular theology is a political or an unpolitical theology (Schmitt 1985: 2).

"The political is the total"

This dictum is a revealing corollary to Schmitt's political theology. In *The Concept of the Political* he had defined the political as the measure of existential and even violent conflict. To say it was "the total" meant that when existential conflict broke out, no other criterion for decision-making could claim priority. In his 1938 book on Thomas Hobbes, he would call such competing claims "indirect powers." Schmitt took this term from Catholic doctrine as expounded classically by Robert Bellarmine, according to whom the church exercised a *potestas indirecta* in the sphere of politics, law, and the state, though no longer a direct power as had been the case in the Middle Ages. Schmitt extended its meaning to include any and all social agencies that threatened to destroy the unity of the state: cultural organizations, business corporations, professional associations, and the like (Schmitt 1996b: 71–4). In 1933, to say that the political was the total was to endorse the idea of "the total state." Schmitt himself had popularized the concept of the total state, by which he did not mean precisely what is today thought of as a "totalitarian" state (1996a: 38–9). In *The Concept of the Political* he had said that the total state was a merely polemical concept for describing

what had happened to the "neutral state" of the nineteenth century, itself a successor of the "absolute state" of the eighteenth century. The development of the total state was necessitated by nineteenth-century liberalism's neutralizations. The various domains of "society," now split off as separate spheres, had sought to make a claim on the state and its resources. Schmitt strongly disparaged the expropriation of the state by the forces of "society," whose concerns were made into political matters (1996a: 22). The state was thus forced to align itself with society and to close the gap. The total state could not afford to regard anything as nonpolitical (1996a: 23–5). In Schmitt's eyes such a state was more likely to become too *weak* rather than too strong, since it risked overextending itself and becoming dissolved by democratic passions. He originally opposed the National Socialists precisely because he feared that they would cannibalize the state, and his Nazi-era writings, such as *Staat, Bewegung, Volk* ("State, Movement, People") had to turn somersaults to accommodate Nazi populist dynamism. Central to his compromise was the doctrine, enunciated in 1933, that a total state in this weak sense ought to give way to a total state of a strong type, which could exploit modern means of mass communication and enthusiastic mass movements to impose, top-down, the requisite order – in short, fascism.

Regardless of Schmitt's intention, such totalizing language posed obvious dangers, and Catholic critics attacked it head-on (Lönne 1994: 23–33; Dahlheimer 1998: 346–61, 371–81). Gustav Gundlach, a prominent Jesuit moral theologian who had a substantial hand in drafting the 1931 papal encyclical *Quadragesimo Anno*, stood against Schmitt on both political and philosophical grounds. He argued that the experiences of the Weimar period demonstrated the practical wisdom of the parliamentary system for Catholics, whose welfare depended on party discipline and party political action. On natural law grounds he opposed the decisionism and philosophical voluntarism underlying Schmitt's assertion of the total state (Lönne 1994: 32). He showed how natural law argument could be used *against* political theology at the same time that other Catholic thinkers such as Karl Eschweiler were using natural law arguments to validate it (Dahlheimer 1998: 224–8).

The unitary state: Who will decide?

Gundlach had also objected to the way that Schmitt's "friend–enemy" definition of the political reduced the state to a mere question of power and appeared based on an almost Manichean dualism of good and evil, resolvable only by brutal decision and command. The friend–enemy distinction aroused opposition because it collided with traditional Catholic social thinking about the harmony of the orders of society, and because it appeared to contradict so blatantly the evangelical injunction to love the enemy (Lönne 1994: 24–5). To the last charge, Schmitt responded that the love commandment applied only to individual enemies, not to "political" enemies (1996a: 29). As for the basis of the state in power rather than in a moral order, Schmitt never disputed the charge. He often

cited Hobbes's tag, *Autoritas non veritas facit legem* (Schmitt 1985: 33, 52; 1996b: 44, 55–6). “For Hobbes God is above all power (*potestas*)” (1996b: 32). Hobbes, he says in *The Concept of the Political*, knew that law was only a human construction. This was true both of positive law (“In this case the rule of law means nothing else than the legitimization of a specific *status quo*”) and also of appeals to a higher or better law, “a so-called natural law or law of reason” (1996a: 66–7). In his prison diary he was to call Hobbes “his closest daily company” (1950: 63). He professed to admire Hobbes' resounding rejection of the *potestas indirecta* of Bellarmine and company. Such “distinctions and pseudo-concepts” were deceptive because they laid claim to obedience without having the responsibility for providing protection in return. And it was the state's provision of protection that gave it the right to demand obedience (1950: 67; 1996a: 52–3; 1996b: 71–2, 74, 83, 86). In an age riven with confessional strife, Hobbes restored the power of decision to the state by taking it out of the hands of the warring theologians and the sects (1950: 66–8). As the early modern state took on the tasks and trappings of the spiritual order, it disarmed the theologians by denying them the right, for example, to determine a just war (1950: 69–70).

Quis iudicabit? Quis interpretabitur? Who decides *in concreto* for human beings acting in their creaturely independence the question of what is spiritual and what is secular, and how one relates to the *res mixtae*, that, in the interim between the Lord's first and second comings, now determine the entire earthly existence of this spiritual-secular, spiritual-temporal double nature of *humanity*? That is the great Thomas Hobbes question that in my book of 1922, *Political Theology*, I already put into the center of discussion and which led to a theory of decisionism and of the autonomy of action. (1970: 107)

Heinrich Meier has made Schmitt's interpretation of Hobbes a centerpiece of his landmark study (1998: 100–34). In his reading, Schmitt distorted Hobbes to fit his own needs; he was not a “Hobbesian” at all, at least in the conventional sense, but a dedicated if evasive believer. That thesis requires respectful qualification. Too many of Schmitt's contemporaries thought otherwise, including friends such as Erik Peterson, who was particularly disturbed by Schmitt's attack on the church's indirect power: “The polemic against the *potestas indirecta* only has meaning if one has repudiated Christianity and has opted for paganism” (Nichtweiß 1992: 735). Peterson may have been especially disappointed in the defection of someone who had once written compellingly of the church's representative power (Nichtweiß 1994: 57–8). The denial of the indirect power meant a fatal acquiescence in secularization. The unity of the state could not be won at the expense of the church's public (*öffentlich*) character. The church came into being as the eschatological reality of the New Age, which destroyed the closed world of the Old Age. But Schmitt appeared to endorse the *Leviathan's* lament over the “typically Judeo-Christian splitting of the original political unity” (Schmitt 1996b: 11) – a splitting that Peterson himself thought was rooted in the very words of Jesus (Nichtweiß 1992: 735 n. 118). What Schmitt said of

Hobbes in the *Glossarium* appears to apply to himself as well: Hobbes's displacement of Christianity into marginal domains was accomplished with the intent of “rendering harmless the effect of Christ in the social and political sphere; of de-anarchizing Christianity, while leaving it in the background a certain legitimating function” (Nichtweiß 1994: 46).

Against the instrumentalizing of the church

Much of the criticism of Schmitt's political theology therefore centered on his treatment of the church. Ferocious critics like Waldemar Gurian considered Schmitt no better than a German version of Charles Maurras, the French nationalist and founder of the reactionary movement Action Française. Maurras' atheism had not kept him from enthusiastically supporting the Catholic Church. Already in a 1926 letter to Peterson, Gurian compared the two: “How similar is Maurras to Schmitt; but Maurras is more honorable: he doesn't pretend to look like a Catholic! He is a pagan and the Church a prop for Order! Similar anxiety over theologians as external authority, similar mixture of precisionism, diligence, and bohemianism, similar relation to people. Uncanny!” (Nichtweiß 1992: 729 n. 63). The juridical fixation of Schmitt's conception of the church was a particular problem. The Catholic socialist Ernst Michel objected to treating the church as merely a higher type of politics and ignoring its character as “the sacrament of love” that spoke for the un-represented part of society: “If the Church is as Carl Schmitt renders it, then . . . the Grand Inquisitor is right and Christ is wrong” (Lönne 1994: 28). Seeing the church primarily as “representation” reduced it to being the conservator of the world as it is, either directly as judge or as underwriter of the political form of the state. The church became a last-ditch defense against social chaos and breakdown, “the ark of Noah in a flood of sin,” reflecting Schmitt's despair of the church's future in a pluralistic and secularizing world. *The Concept of the Political's* pessimistic picture of human nature after the Fall was attacked as inconsistent with tridentine orthodoxy (Wacker 1994a: 287–90; 1994c: 137).

Schmitt's instrumentalization of Christianity was the most extreme example of an apologetic strategy quite common among Weimar era Catholics who stressed what the church could do for German society (Ruster 1994: 377–85). All such strategies run the risk of diluting principle for utility, and there is no doubt that Schmitt's political theology crossed the line in this respect. While we should reject Gurian's accusation of dishonesty, there is ample reason for thinking that Schmitt's religious faith was more polemical and “dramaturgical” than substantive in its relationship with the political order; even if that faith revived after the war, it was still “a Lefëbvrism *avant la lettre*” (Faber 1994: 278; Wacker 1994c: 136–7; Lönne 1994: 15; Lauer mann 1994: 300). Many of his friends believed that he thought the church of Vatican II had gone mad and had squandered what he most valued in Roman Catholicism (Wacker 1994a: 293).

Political theology and reading the signs of the times

Erik Peterson deserves the last word. Part of Peterson's argument against the possibility of any Christian political theology had rested on St. Augustine's stripping of the sacral patina given to the Roman Empire by Christian apologists such as Eusebius of Caesarea. In *Politische Theologie II* Schmitt objected to this argument because it seemed to deny Christian laypeople the right to see the hand of God in their political well-being: "A church does not consist only of theologians" (Schmitt 1970: 77). With mordant pleasure he pointed to the euphoria of Angelo Roncalli (the future John XXIII!) over the signing of the 1929 Lateran Treaties between the Vatican and Mussolini's government, as a modern example of a Catholic rejoicing at seeing God at work in the world. Schmitt singled out for attack Peterson's invocation of *De Civitate Dei* 3. 30, in which Augustine scorned Cicero for mistakenly placing his bets on Octavian, the future dictator: said Augustine, Cicero was "blind and reckless about what was to come" (*caecus atque improvidus futurorum*) (Peterson 1951: 90). Inappropriate after-the-fact moralizing, sniffed Schmitt. How could Cicero have known, and what choices did he really have, caught between Antony and Caesar's nephew? (Schmitt 1970: 90–1). In a letter to Schmitt written long afterwards, Jacob Taubes defended the justice and the wisdom of Peterson's words from 1935: "That *caecus atque improvidus futurorum* was a coded warning directed at you – but you didn't get it. You had no better friend than Peterson, whom you also brought on the path to the Church. 'True are the wounds that a friend's arrow makes,' says the Psalmist somewhere" (Taubes 1987: 40).

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CHAPTER 9

Karl Barth

Haddon Willmer

His Times

Karl Barth (1886–1968) is renowned for his wonder-ful (Barth 1963: 61ff.) commitment to theology. He is less often seen as a theologian *in and for politics*, if not a political theologian, both in his lifetime and now. This essay can be no more than a fragmentary taster to Barth's work. Dealing only with political issues as he talked about them, it will not guess what he might have said on other matters, let alone criticize or defend him where he failed to answer questions which have gained salience in our time (cf. e.g. Katherine Sonderegger, "Barth and Feminism," in Webster 2000: 258–73).

The turbulent half-century between World War I and the Vietnam War, the Prague Spring, and the student revolts of 1968 raised fundamental political issues for anyone like Barth who lived through them with the newspaper in one hand and the Bible in the other. A Swiss, proving himself a friend of Germany where he worked for many years, Barth experienced war and peace, dictatorship and democracy, capitalism and communism, religious politics and political theology. Terrible wars and programs for social welfare intertwined in the massive experimentation of the modern technological state. Order needed somehow to be related to freedom in humanizing practice, freedom to service, duty to rights, pragmatism to imagination, despair to hope. Private interest crossed with public belonging, informed political discussion with media manipulation and extreme coercion. In 1900 Europe, with its intermarried monarchies from Britain to Russia, controlled most of the world; by midcentury, it was broken and divided by the Iron Curtain between the spheres of two superpowers. While, in culture, philosophy, and rhetoric, God was often replaced by Humanity, in practice human beings were disposed of, *en masse*, by evil genocidal powers tricked out with the propagandist languages of progress, racial purity, class justice, and scientific efficiency. The Universal Declaration of Human Rights (1948) was